

Re: Diamond - Calls Yesterday with CPG and Tierra?

Ray Basso

to:

Sarah Flanagan

08/17/2012 02:33 PM

Cc:

Stephanie Vaughn

Hide Details

From: Ray Basso/R2/USEPA/US

To: Sarah Flanagan/R2/USEPA/US@EPA,

Cc: Stephanie Vaughn/R2/USEPA/US@EPA

Thanks Sarah, I agree that an extension on the financial assurance makes sense at this point.

-----Sarah Flanagan/R2/USEPA/US wrote: -----

To: Ray Basso/R2/USEPA/US@EPA

From: Sarah Flanagan/R2/USEPA/US

Date: 08/17/2012 01:46PM

Cc: Stephanie Vaughn/R2/USEPA/US@EPA, Patricia Hick/R2/USEPA/US@EPA

Subject: Re: Diamond - Calls Yesterday with CPG and Tierra?

I spoke with Carol Dinkins for about 25 minutes, As discussed I told her that the CPG had raised legit technical and financial issues, along with a lot of bluster, and that EPA understands and accepts that the offer as structured won't work for them; that we are going to talk internally to evaluate the options, i.e., whether there is any way that the UPF can be incorporated into planning for RM 10.9, or we need to move on to a different approach; and that EPA's view is that we are still in the negotiation period so we have no current intention of holding Occidental in violation of the UAO.

Carol mentioned the Stuyvesant issue and said their may be a pressing need to figure out the future of the UPF. I said I was not aware it was that pressing an issue. She was not really sure and said she had tried to learn more about it, but had not been able. She suggested that you and Dave Rabbe will probably be talking more about it. I told her that the volume of sediment needing processing is a key issue and we won't really know how the bench scale tests went, and what the CPG have decided about moving forward with pilot studies, for another couple of weeks.

So if Stuyvesant needs a decision by next week, I am not sure how to address that. (But, as (b) (5)

Finally she asked if Occidental could have an extension on the time to submit financial assurance, which is currently due 9/14/12. (b) (5)

I told her an extension is probably acceptable but I will discuss with colleagues and send her an email or letter to confirm.